

1 UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF MASSACHUSETTS
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5 UNITED STATES) CR. NO. 04-10016-NG
6 VS.) COURTROOM NO. 2
7 WALDIR FRANCISCO DEOLIVEIRA) 1 COURTHOUSE WAY
8 BOSTON, MA 02210
9

10 JUDGMENT AND FINDINGS OF FACT
11

12 NOVEMBER 21, 2005

13 4:39 P.M.
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18 BEFORE THE HONORABLE NANCY GERTNER
19 UNITED STATES DISTRICT COURT JUDGE
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24 VALERIE A. O'HARA
25 OFFICIAL COURT REPORTER

1 A P P E A R A N C E S:

2 United States Attorney's Office, by SETH BERMAN,
3 ASSISTANT UNITED STATES ATTORNEY, One Courthouse Way,
4 Suite 9200, Boston, Massachusetts 02210, for the United
5 States;

6 STEPHEN J. WEYMOUTH, ESQ., 65A Atlantic Avenue, Boston,
7 Massachusetts 02110, for the Defendant.

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1 THE COURT: So, Mr. Deoliver, will you please
2 stand. You've conceded that this was a violation, and, I,
3 therefore, find the violation. Under the circumstances,
4 you'll be committed to the custody of the Bureau of Prisons.
5 The recommendation is 30 months?

6 PROBATION OFFICER: No, your Honor, it's 90 days
7 or up to six months or until he has a viable residence and
8 employment that is acceptable to probation.

9 THE COURT: Ninety days?

10 PROBATION OFFICER: Or up to six months. If he
11 found a place that was acceptable to us tomorrow, he would
12 be all right.

13 THE COURT: But your recommendation, I have
14 imprisonment for time served?

15 PROBATION OFFICER: I'm sorry, yes, time served.

16 THE COURT: Coolidge House is a condition of
17 supervised release?

18 PROBATION OFFICER: Yes.

19 THE COURT: Which would then mean you would have
20 the ability to determine when he would be released, I
21 understand.

22 PROBATION OFFICER: Thank you, your Honor.

23 THE COURT: He will be in prison for a period of
24 time served and 30 months for supervised release. While
25 you're on supervised release, you're not to commit another

1 federal, state or local crime, refrain from the use of a
2 controlled substance. You'll submit to periodic drug tests
3 thereafter and not to exceed 104 tests.

4 Wherever probation tells you to go, you go.
5 You're to comply with the standard conditions, and, in
6 addition, you're prohibited from possessing a firearm,
7 you're to pay the balance of the restitution, not incur
8 additional credit charges, provide probation with financial
9 information, participate again in a substance abuse program.
10 You're to use your true name, you're to cooperate in the
11 collection of DNA, which I assume has already happened.
12 You're to be admitted to the Coolidge House Community
13 Confinement Center for a minimum of 90 days or up to six
14 months until such time as you secure employment and
15 establish a viable residence deemed appropriate by
16 probation.

17 So, Coolidge House, as soon as there's a
18 Coolidge House bed, you'll go into it. Coolidge House is a
19 community confinement, which means you have an opportunity
20 to go out during the day, get a job, secure a residence.
21 They will work with you there. We visited, we know the
22 people there. They'll work with you in terms of getting a
23 job and getting a residence. Once a job is secured and a
24 residence is secured, you'll let your probation officer know
25 about that, and if they agree that your life has gotten back

1 on track, then they would recommend that you be released
2 from Coolidge House.

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6 UNITED STATES DISTRICT COURT)
7 DISTRICT OF MASSACHUSETTS)
8 CITY OF BOSTON)
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10 I, Valerie A. O'Hara, Registered Professional
11 Reporter, do hereby certify that the foregoing transcript
12 was recorded by me stenographically at the time and place
13 aforesaid in No. 04-10016-NG, In Re: United States vs.
14 Waldir Francisco Deoliveira and thereafter by me reduced to
15 typewriting and is a true and accurate record of the
16 proceedings.

17 _____
18 VALERIE A. O'HARA

19 REGISTERED PROFESSIONAL REPORTER
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